

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Cook and Menard
Report Number COA2018-045

Public Meeting

Meeting Date: August 16, 2018
Time: 1:00 pm
Location: Victoria Room, City Hall, 26 Francis Street, Lindsay

Ward: 16 – Geographic Township of Manvers

Subject: The purpose and effect is to permit the construction of an attached garage by requesting relief from:

1. Section 13.2 (c) to reduce the minimum front yard setback from 15 metres to 12.8 metres; and
2. Section 13.2 (f) to reduce the minimum interior side yard setback from 3 metres to 1.2 metres.

The variance is requested at 1 Loraine Drive, geographic Township of Manvers (File D20-2018-034).

Author: Lydia (Cho Laam) Wong, Student Planner **Signature:**

Recommendations:

RESOLVED THAT Report COA2018-045 Tyler Cook and Julie Menard, be received;

THAT minor variance application D20-2018-034 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions:

- 1) **THAT** the construction of the attached garage related to this approval shall proceed in accordance with the site plan in Appendix “C” and elevations in Appendix “D” submitted as part of Report COA2018-045, which shall be attached to and form part of the Committee’s Decision. Any deviation from these specifications will require review by the City and may necessitate further approvals to be granted by the City and/or any other governing agency, body or authority, where applicable;
- 2) **THAT** prior to the issuance of a final inspection for the proposed garage, the shed located in the rear yard be removed from the property; and,
- 3) **THAT** the building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the

Notice of Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2018-045. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Background:	The property contains a single detached dwelling with a garage, shed, and a deck. The existing attached garage is proposed to be replaced through this minor variance application with a larger structure and a reconfigured footprint. This application was deemed complete on June 7, 2018.
Proposal:	To construct an approximately 60.16 square metre (647 square foot) attached garage
Owner:	Tyler Cook and Julie Menard
Legal Description:	Lot 1, Plan M714, geographic Township of Manvers, City of Kawartha Lakes
Official Plan:	"Rural Settlement" – City of Kawartha Lakes Oak Ridges Moraine Policy Area
Zone:	"Rural Residential Type One (RR1) Zone" – City of Kawartha Lakes Oak Ridges Moraine Zoning By-law 2005-133
Site Size:	1,263.48 square metres (0.31 acres)
Site Servicing:	Private individual sewage system and municipal water supply
Existing Uses:	Residential
Adjacent Uses:	North: Residential East: Residential South: Loraine Drive/ Residential West: Glengarry Road/ Rural

Rationale:

1) Are the variances minor in nature? Yes
And

2) Is the proposal desirable and appropriate for the use of the land? Yes

The property is within a residential neighbourhood within the southern portion of the Bethany Settlement Area.

The proposed attached garage will be located in the side yard. The frontage and flankage setback from the roads, low building profile, and orientation of the garage should not adversely alter the character of the streetscape.

The front yard relief requested for the proposed garage is not anticipated to impact the function of the yard, as sufficient space remains between the proposed structure and the front lot line for maintenance and drainage purposes.

In terms of scale, the proposed height of the attached garage is not anticipated to present a negative visual impact and will appear functionally compatible with the existing character of the surrounding residential uses dwellings. The proposed height of the garage matches the height of the existing dwelling on the property. The height of the garage projection will be 3.3 metres, which is smaller in scale than the existing dwelling. This aids in reducing visual impact of the existing dwelling character.

In terms of appearance, the application proposes a built form and scale consistent with the existing dwelling. It will blend in with the general character of the neighbouring residential dwellings to the East and South of the subject site.

Sufficient space remains within the side yards to facilitate access to the rear yard from the front yard. The attached garage provides for covered vehicular storage, and its setback from the road allowance ensures sufficient driveway surface outside of the road allowance is available for parking.

Moreover, the applicant will be removing the existing shed located in the rear yard from the property as trade-off for the relief sought for the expansion of the attached garage.

Due to the above, the variances are minor in nature.

3) Does the variance maintain the intent and purpose of the Zoning By-law?
Yes

The subject property is zoned “Rural Residential Type One (RR1) Zone” within the City of Kawartha Lakes Oak Ridges Moraine Zoning By-law 2005-133.

The intent of the zoning by-law is to relegate accessory uses to the interior side or rear yard, and maintain sufficient spatial separation between accessory uses and flankage lot lines. Due to the topography and presence of vegetation, the intent of the zoning by-law is maintained as the garage is adequately screened from Glengarry Road.

The 1.8 metres relief from the 3 metres interior side yard setback required is not anticipated to be perceptible. Sufficient space remains within the side yards to facilitate access to the rear yard. The scale of the front yard setback reduction, which is 2.2 metre relief from the 15 metres, leaves adequate space between the proposed structure and the front lot line for maintenance and drainage purposes.

The attached garage is proposed to have a height of 6.24 metres. It is considered low profile as it is less than the maximum height of 11 metres permitted in a Rural Residential Type One (RR1) Zone. Additionally, the proposal has not fully exercised the zoning provision privileges, utilizing a lot coverage of 15.56% from a possible 25% maximum.

Therefore, the variances maintain the general intent and purpose of the Zoning By-Law.

4) **Does the variance maintain the intent and purpose of the Official Plan?**
Yes

The property is designated “Rural Settlement” within the City of Kawartha Lakes Oak Ridges Moraine Policy Area of the City of Kawartha Lakes Official Plan. This designation permits residential uses and associated accessory structures. The proposed development enhances the residential function of the property.

In consideration of the above, the variances maintain the general intent and purpose of the Official Plan.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Servicing Comments:

The property is serviced by Municipal water and private septic systems. The proposed accessory use will not be connected to water or septic facilities.

Consultations:

Notice of this application was circulated in accordance with the requirements of the Planning Act. Comments have been received from:

Agency Comments:

Building Division – Building Inspection/Plans Examiner (August 2, 2018): No concerns.

Public Comments:

No comments as of August 7, 2018.

Attachments:



2018.08.16
Appendices A-E to Re

Appendix “A” – Location map

Appendix “B” – Air photo

Appendix “C” – Site Plan

Appendix "D" – Elevations
Appendix "E" – Department and Agency comments

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